

REMARKS

At the time of the Office Action dated December 9, 2004, claims 1-15 were pending in this application. Applicants acknowledge, with appreciation, the Examiner's indication that claims 2, 5, 7, 10, 12, and 15 contain allowable subject matter. Claims 1, 6, and 11 have been amended to recite that the camera is configured to obtain a monochromatic two-dimensional image, and this amendment to claims 1, 6, and 11 finds adequate descriptive support throughout the originally-filed disclosure, for example, in paragraph [0021]. Claims 2, 5, 7, 10, 12, and 15 have been amended to be placed into independent form. Applicants submit that the present Amendment does not generate any new matter issue.

**CLAIMS 1, 3-4, 6, 8-9, 11, AND 13-14 ARE REJECTED UNDER 35 U.S.C. § 102 AS BEING
ANTICIPATED BY USHIO ET AL., U.S. PATENT NO. 6,271,047 (HEREINAFTER USHIO)**

On pages two and three of the Office Action, the Examiner asserted that Ushio discloses a device for detecting an end point of polish of a substrate corresponding to that claimed. This rejection is respectfully traversed.

Initially, Applicants note that independent claims 1, 6, and 11 have been amended to clarify that the camera is configured to obtain a *monochromatic* two-dimensional image. As discussed in Applicants' disclosure, "[a] monochromatic light source 32 irradiates light of a certain wave length so that the contrast of the gray image conspicuously varies as the polish proceeds." In the statement of the rejection, the Examiner referred to column 7, lines 20-25 as teaching the claimed camera configured to obtain a two-dimensional image of a substrate.

However, upon reviewing this citation within Ushio, Applicants note that Ushio is completely silent as to the camera being configured to obtain a monochromatic two-dimensional image.

Referring to Fig. 3 and column 14, lines 51-57, Ushio describes "a linear sensor 24... that detects the various separated wavelengths of signal light" (emphasis added). Ushio also states that "the wavelength-measurement range of the sensor 24 is approximately 400 nm to 700 nm." The linear sensor 24 appears to be the only feature disclosed by Ushio that is comparable to the claimed camera, and Ushio teaches that this linear sensor 24 detects an image in multiple wavelengths. In contrast, the claimed invention is directed to a camera that is configured to obtain a monochromatic image. Thus, Ushio fails to identically describe the claimed invention within the meaning of 35 U.S.C. § 102. Applicants, therefore, respectfully solicit withdrawal of the imposed rejection of claims 1, 3-4, 6, 8-9, 11, and 13-14 under 35 U.S.C. § 102 for anticipation based upon Ushio.

Applicants have made every effort to present claims which distinguish over the prior art, and it is believed that all claims are in condition for allowance. However, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. Accordingly, and in view of the foregoing remarks, Applicants hereby respectfully request reconsideration and prompt allowance of the pending claims.

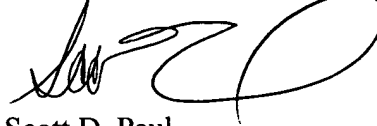
To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

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including extension of time fees, to Deposit Account 500417, and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read 'Scott D. Paul', written over a horizontal line.

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